

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

STEVEN A. JONES,	)	Case No. CV 12-10121 ABC
Petitioner,	)	
vs.	)	JUDGMENT
KEVIN CHAPPELL, Warden,	)	
California State Prison at San Quentin,	)	
Respondent.	)	

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Pursuant to the Order Denying Petition for Intervention by United States or States: Constitutional Question,

IT IS HEREBY ADJUDGED that the Petition is denied and this action is dismissed with prejudice.

If Petitioner gives timely notice of an appeal from this Order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will not issue because Petitioner has failed to make a substantial showing of the denial of a constitutional right. *Miller-El v. Cockrell*, 537 U.S. 322, 335-338 (2003) (noting that a certificate of appealability will only issue where a petitioner has made a “substantial showing of the denial of a constitutional right” and explaining that “a petitioner must sho[w] that reasonable

1 jurists could debate whether (or, for that matter, agree that) the petition should  
2 have been resolved in a different manner or that the issues presented were  
3 adequate to deserve encouragement to proceed further.” (citations and internal  
4 quotations omitted)); *Williams v. Woodford*, 384 F.3d 567, 582-583 (9<sup>th</sup> Cir. 2004)  
5 (treating petitioner’s notice of appeal as an application for a certificate of  
6 appealability on the issues raised in his opening brief and explaining that as to  
7 each claim appealed petitioner must make “a substantial showing of the denial of  
8 a constitutional right.” (internal citations omitted)).

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10 Dated: December 17, 2012

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12 — AUDREY B. COLLINS —  
13 UNITED STATES DISTRICT JUDGE  
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